



AF JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Michael R. Schramm

Serial No.: 09/867,320

Filed: May 29, 2001

For: Fluid Powered Bubble Machine
With Spill-Proof Capability

§
§
§ Group Art Unit 3751
§
§ Examiner: Steven O.
§ Douglas
§
§
§

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

FIRST CLASS MAIL MAILING LABEL
DATE OF DEPOSIT: 12 November 2004
I hereby certify that this correspondence is being deposited
with the United States Postal Service as "FIRST CLASS
MAIL" in an envelope addressed to: The Commissioner of
Patents, PO Box 1450, Alexandria, VA 22313-1450

Michael R. Schramm November 12, 2004

Applicant Date
Michael R. Schramm
Signature

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 1, 2004 of the examiner finally rejecting claims 36 – 41 of the captioned application. Applicant requests that Applicant's appeal of February 12, 2004 be reinstated and that Applicant's Notice of Appeal fee transmitted February 12, 2004 be applied to Applicant's current Notice of Appeal fee. In the event that such previously transmitted fee is not found acceptable for Applicant's current Notice of Appeal fee, Applicant requests that the appeal fee in the amount of \$170 for a small entity pursuant to 37 CFR S 1.17(b) via credit card payment form PTO-2038 submitted herewith be accepted.

DATE: November 12, 2004
11/17/2004 WASFAW1 00000022 09867320

01 FC:2401

170.00 DP

Respectfully submitted,

Michael R. Schramm
Michael R. Schramm